

**House File 237 - Introduced**

HOUSE FILE 237

BY SCHULTZ

**A BILL FOR**

1 An Act concerning implementation of the federal REAL ID Act of  
2 2005.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. FINDINGS AND INTENT.

2 1. The general assembly finds that the enactment into  
3 law of the federal REAL ID Act of 2005, contained in Pub.  
4 L. No. 109-13, is inimical to the security and well-being  
5 of the people of Iowa, will cause unnecessary expense and  
6 inconvenience to those people, and was adopted by the United  
7 States Congress in violation of the principles of federalism  
8 contained in the tenth amendment to the Constitution of the  
9 United States.

10 2. It is the intent of the general assembly that the State  
11 of Iowa shall not participate in the implementation of the REAL  
12 ID Act of 2005.

13 Sec. 2. NEW SECTION. 321.173 REAL ID Act of 2005 —  
14 implementation prohibited.

15 1. The department shall not implement the provisions of the  
16 federal REAL ID Act of 2005, contained in Pub. L. No. 109-13,  
17 and shall report to the governor and the general assembly any  
18 attempt by agencies or agents of the United States department  
19 of homeland security to secure the implementation of the REAL  
20 ID Act of 2005 through the operations of the department of  
21 transportation or any other agency of this state or a political  
22 subdivision of this state.

23 2. No department, agency, or officer of this state, or  
24 of any of its political subdivisions, charged with motor  
25 vehicle registration or regulation, the issuance or renewal of  
26 driver's licenses, or the issuance or renewal of nonoperator's  
27 identification cards shall collect, obtain, or retain any data  
28 in connection with activities related to complying with the  
29 REAL ID Act of 2005.

30 3. Nothing in this section is intended to prevent the  
31 department from taking reasonable steps to enhance the security  
32 of Iowa driver's licenses and nonoperator's identification  
33 cards.

34 EXPLANATION

35 On May 11, 2005, Congress passed the REAL ID Act of 2005

1 as part of the Emergency Supplemental Appropriations Act  
2 for Defense, the Global War on Terror, and Tsunami Relief,  
3 2005. The REAL ID Act establishes standards, procedures,  
4 and requirements that must be met if state-issued driver's  
5 licenses and identification cards are to be accepted as valid  
6 identification for certain federal purposes, such as boarding  
7 an aircraft or visiting a federal facility. This bill states  
8 the general assembly's findings that the REAL ID Act is  
9 inimical to the security and well-being of the people of Iowa,  
10 will cause unnecessary expense and inconvenience, and violates  
11 the principles of federalism contained in the tenth amendment  
12 to the Constitution of the United States. The bill states  
13 the general assembly's intent that Iowa not participate in  
14 implementation of the REAL ID Act.

15 The bill prohibits the department of transportation from  
16 implementing the provisions of the REAL ID Act and requires  
17 the department to report any attempt by the U.S. department of  
18 homeland security to secure the state's implementation of the  
19 REAL ID Act.

20 The bill further prohibits any agency of the state or its  
21 political subdivisions charged with duties relating to motor  
22 vehicle registration or regulation, or to the issuance of  
23 driver's licenses and nonoperator's identification cards,  
24 to collect, obtain, or retain any data in connection with  
25 activities related to compliance with the REAL ID Act.